

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

STEPHEN KERSHNAR,

Plaintiff,

23-cv-525

-vs-

STEPHEN H. KOLISON, JR., in his individual
capacity and his official capacity as the President
of the State University of New York at Fredonia, and

DAVID STARRETT, in his individual capacity and
official capacity as Executive Vice President and
Provost of the State University of New York at
Fredonia,

Defendants.

DEFENDANTS' WITNESS LIST

Defendants, by their attorney, Letitia James, Attorney General for the State of New York, Jennifer Metzger Kimura and Alyssa Jordan Pantzer, Assistant Attorneys General, of counsel, submit the following list of witnesses that they may call at the evidentiary hearing scheduled to commence on September 13, 2023.¹ Depending on the evidence presented on behalf of the Plaintiff, the Defendants expect to call the following witnesses:

1. Former Chief of Police at SUNY Fredonia Brent Isaacson is a non-retained expert who will provide expert and fact testimony pursuant to Fed. R. Civ. P. 26 (a)(2)(C) on the security and safety concerns at SUNY Fredonia following the viral aftermath of Plaintiff appearing on the

¹ As previously noted for the record during the conference with this Court on August 17, 2023, pursuant to Loc. R. 65, Plaintiff should have provided his list of witnesses and exhibits at the time of filing his motion for preliminary injunction as Plaintiff bears the burden of proof of establishing entitlement to a preliminary injunction. Defendants again note their objection for the record that Defendants were required to submit their witness and exhibit list prior to Plaintiff.

podcast. This is based on his experience and based on his own personal knowledge of the events related to Plaintiff. His testimony will include, but is not limited to, that because of the threats and disruption occurring immediately after Plaintiff's podcast video going viral, it was the reason to remove Plaintiff from campus.

2. Current Interim Chief of Police at SUNY Fredonia Charles Holder will provide fact testimony on the on the security and safety concerns at SUNY Fredonia following Chief Isaacson's retirement. His testimony will be based on his experience and his personal knowledge of the events related to Plaintiff upon his assumption of the role as Chief of Police.

DATED: August 23, 2023
Buffalo, New York

LETITIA JAMES
Attorney General of the State of New York
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